

**AN ORDINANCE TO AMEND CHAPTER 130 OF THE
MUNICIPAL CODE OF THE TOWN OF HENLOPEN ACRES,
DELAWARE, BY AMENDING SECTION 130-4 RELATING
TO THE DEFINITION OF "UNDER ROOF."**

WHEREAS, the Mayor and Commissioners of the Town of Henlopen Acres find that the regulation of lot and building requirements contributes to the peaceful enjoyment of the Town; and

WHEREAS, the Mayor and Commissioners of the Town of Henlopen Acres desire to clarify which areas should be considered when calculating square footage for the purposes of the Town's lot and building requirements.

BE IT ORDAINED, by the Commissioners of the Town of Henlopen Acres, in session met, in the manner following to wit:

Section 1. Chapter 130, Section 130-4, of the Municipal Code of the Town of Henlopen Acres, Delaware, as amended, be and the same is hereby further amended by inserting alphabetically into Section 130-4(B) a definition of "Under Roof" as follows:

Under Roof

All areas including, but not limited to, areas covered by a traditional roof with or without pitch or slope and areas whether or not enclosed by walls under cover of a deck or structure above that has been finished to protect the area below from weather. It shall not include areas subject to weather due to a permeable deck or structure above, or any unimproved area.

Section 2. This Ordinance shall become effective immediately upon its adoption by a majority vote of the Commission of the Town of Henlopen Acres.

Adopted by the Commissioners
of the Town of Henlopen Acres
10-12, 2012


Secretary of the Commissioners of
the Town of Henlopen Acres

Synopsis: This ordinance adds "Under Roof" as a defined term in Section 130-4.